

1 Budge & Heipt, PLLC
808 E. Roy St.
2 Seattle, WA 98102
(206) 624-3060
3
4
5
6

7 UNITED STATES DISTRICT COURT
8 EASTERN DISTRICT OF WASHINGTON

9 THE ESTATE OF CINDY LOU HILL, by
and through its personal representative,
10 Joseph A. Grube; and CYNTHIA
METSKER, individually,

11 Plaintiffs,

12 vs.

13 NAPHCARE, INC, an Alabama
corporation; HANNAH GUBITZ,
14 individually; and SPOKANE COUNTY,
a political subdivision of the State of
15 Washington,

16 Defendants.
17
18
19
20

No. 2:20-cv-00410-MKD

PLAINTIFFS' WITNESS LIST

1 Plaintiffs expect to call some or all of the following witnesses at trial:

2 **EXPERT WITNESSES**

3 1. Andy S. Barnett, MD. Dr. Barnett will testify about the topics and
4 information contained in his detailed Fed. R. Civ. P. 26(a)(2) report in this
5 matter, a copy of which will be submitted to the Court at
6 Dimkeorders@waed.uscourts.gov.

7 2. Lori Roscoe, DNP, APRN. Dr. Roscoe will testify about the topics
8 and information contained in her detailed Fed. R. Civ. P. 26(a)(2) report in this
9 matter, a copy of which will be submitted to the Court at
10 Dimkeorders@waed.uscourts.gov.

11 3. Sebastian D. Schubl, MD. Dr. Schubl will testify about the topics and
12 information contained in his detailed Fed. R. Civ. P. 26(a)(2) report in this
13 matter, a copy of which will be submitted to the Court at
14 Dimkeorders@waed.uscourts.gov.

1 **FACT WITNESSES**

2 1. Sally S. Aiken, MD. Former Medical Examiner, Spokane County.
3 Plaintiffs may call Dr. Aiken to testify about the cause of Cindy Hill's death, and
4 the other findings and conclusions of her autopsy of Ms. Hill.

5 2. Diane Burnett. Sister of Cindy Hill. Plaintiffs may call Ms. Burnett to
6 testify about Cindy Hill's life, Ms. Hill's relationship with her daughter, Cynthia
7 Metsker, loss-of-life damages, and the damages Ms. Metsker has suffered as a
8 result of Ms. Hill's death.

9 3. Tren Byington. Corrections Officer, Spokane County Jail. Plaintiffs
10 may call Mr. Byington to testify about the facts pertaining to Cindy Hill's
11 detention and death, the "medical watch" practice at the Spokane County Jail,
12 and other related topics as explored in his deposition.

13 4. Emily Feely, MD. Former Chief Medical Officer, NaphCare, Inc.
14 Plaintiffs may call Dr. Feely to testify about her former role as NaphCare's Chief
15 Medical Officer, NaphCare's contract with Spokane County, NaphCare's policies
16 and practices, the facts pertaining to Cindy Hill's detention and death,
17 NaphCare's investigation of Ms. Hill's death, and other related topics as explored
18 in her deposition.

19 5. Hannah Gubitz. Defendant. Plaintiffs will call Ms. Gubitz to testify
20 about her role with regard to health care at the Spokane County Jail and the facts
pertaining to Cindy Hill's detention and death. She also will testify about the

1 “medical watch” practice at the Spokane County Jail and other related topics, as
2 explored in her deposition.

3 6. Steven Hammond, M.D. Former Medical Director, Washington
4 Department of Corrections. Plaintiffs may call Dr. Hammond to testify about his
5 findings and conclusions pertaining to Ms. Hill’s confinement and death, as
6 expressed in the death review he conducted at the request of Spokane County
7 Detention Services Director Michael Sparber. He also may testify about his
8 communications with Mr. Sparber and others on these topics.

9 7. Lee Harrison. President. NaphCare, Inc. Plaintiffs may call Mr.
10 Harrison to describe NaphCare and the scope of its business, contracts, and
11 services.

12 8. Donald Hooper. Lieutenant, Spokane County Jail. Plaintiffs may call
13 Mr. Hooper to testify about Spokane County’s contract with NaphCare, Inc. and
14 Spokane County Jail’s policies and practices, including the “medical watch”
15 practice, as well as other related topics as explored in his deposition and the
16 30(b)(6) deposition at which he was the designee.

17 9. Carolyn Hoschka. Former Corrections Officer, Spokane County Jail.
18 Plaintiffs may call Ms. Hoschka to testify about the facts pertaining to Cindy
19 Hill’s detention and death, the “medical watch” practice at the Spokane County
20 Jail, and other related topics as explored in her deposition. Plaintiffs may present
Ms. Hoschka’s testimony live or by video deposition, to the extent permitted.

1 10. Brett Janke. Corrections Officer, Spokane County Jail. Plaintiffs may
2 call Mr. Janke to testify about the “medical watch” practice at the Spokane
3 County Jail, and his inability to substantiate the alleged encounter between
4 Defendant Gubitz and Cindy Hill in the afternoon of August 25, 2018.

5 11. Jeffrey Maple, MD. Former NaphCare Medical Director at the
6 Spokane County Jail. Plaintiffs may call Dr. Maple to testify about his former
7 role as Medical Director at the Spokane County Jail, NaphCare’s contract with
8 Spokane County, NaphCare’s policies and practices, the facts pertaining to Cindy
9 Hill’s detention and death, NaphCare’s investigation of Ms. Hill’s death, and
10 other related topics as explored in his deposition.

11 12. Cynthia Metsker. Plaintiff. Plaintiffs will call Ms. Metsker to testify
12 about her relationship with her mother, Cindy Hill, the damages she has suffered
13 as a result her mother’s death, and loss-of-life damages.

14 13. Matthew Milholland. Corrections Officer, Spokane County Jail.
15 Plaintiffs may call Mr. Milholland to testify about the facts pertaining to Cindy
16 Hill’s detention and death, the “medical watch” practice at the Spokane County
17 Jail, and other related topics as explored in his deposition.

18 14. Jesus Ordaz. Director of Operations for the Western States, NaphCare,
19 Inc. Plaintiffs may call Mr. Ordaz to testify about the topics explored in his
20 deposition, including NaphCare’s policies, practices, and customs.

1 15. Steven Richardson. Friend of Cindy Hill. 43 E. Weile Ave., #254,
2 Spokane, WA 99208. (509) 668-8001. Plaintiffs may call Mr. Richardson to
3 testify about Cindy Hill's life, Ms. Hill's relationship with her daughter, Cynthia
4 Metsker, loss-of-life damages, and the damages Ms. Metsker has suffered as a
5 result of Ms. Hill's death.

6 16. Justin Rogers. Former Certified Medical Assistant, NaphCare, Inc.
7 Plaintiffs may call Mr. Rogers to testify about his inability to substantiate the
8 alleged encounter between Defendant Gubitz and Cindy Hill in the afternoon of
9 August 25, 2018.

10 17. Michael Sparber. Director, Spokane County Detention Services
11 Department. Plaintiffs may call Mr. Sparber to testify about Spokane County's
12 contract with NaphCare, Inc., Spokane County Jail's policies and practices,
13 including the "medical watch" practice, and other related topics as explored in his
14 deposition.

15 18. Travis Titchenal. Corrections Officer, Spokane County Jail. Plaintiffs
16 may call Mr. Titchenal to testify about the facts pertaining to Cindy Hill's
17 detention and death, the "medical watch" practice at the Spokane County Jail,
18 and other related topics as explored in his deposition.

19 19. Jessica Wirth. Corrections Officer, Spokane County Jail. Plaintiffs
20 may call Ms. Wirth to testify about the facts pertaining to Cindy Hill's detention

1 and death, the “medical watch” practice at the Spokane County Jail, and other
2 related topics as explored in her deposition.

3 20. Connie C. Young. Chief Financial Officer, NaphCare, Inc. Plaintiffs
4 may call Ms. Young to testify about NaphCare’s finances, including its profits,
5 losses, assets, and liabilities. Plaintiffs will present Ms. Young’s testimony
6 through her declaration, by stipulation of the parties.

7 21. Any witnesses necessary solely to authenticate documents. (None
8 expected).

9 Respectfully submitted this 12th day of May, 2022.

10
11 **BUDGE & HEIPT, PLLC**
12 808 E. Roy St.
Seattle, WA 98102

13 s/ Hank Balson
14 Edwin S. Budge, WSBA #24182
15 Hank Balson, WSBA #29250
16 Erik J. Heipt, WSBA #28113
hank@budgeandheipt.com
ed@budgeandheipt.com
erik@budgeandheipt.com
17 (206) 624-3060
Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

The undersigned certifies that on the date stated below this document was filed with the Clerk of the Court for the United States District Court for the Eastern District of Washington, via the CM/ECF system, which will send notification of such filing to the following e-mail addresses:

Ketia B. Wick, WSBA #27219
Erin E. Ehlert, WSBA #26340
Fain Anderson VanDerhoef Rosendahl
701 Fifth Avenue, Suite 4750
Seattle, WA 98104
ketia@favros.com
erine@favros.com
Attorneys for Defendants NaphCare,
Inc., and Hannah Gubitz

John E. Justice, WSBA #23042
Law, Lyman, Daniel, Kamerrer &
Bogdanovich, P.S.
PO Box 11880
Olympia WA 98508
jjustice@lldkb.com
(360) 754-3480
Attorney for Defendant Spokane
County

Dated this 12th day of May, 2022.

s/ Hank Balson
Hank Balson